



Interview Summary: Superintendent Dana Earley (Ontario Provincial Police)

Superintendent Dana Earley was interviewed by Frank Au, Mark Pritchard, Eric Brousseau, and Misha Boutilier on September 9, 2022. Questions about this summary should be directed to Frank Au.

Background

Dana Earley is a West Region Superintendent in the Ontario Provincial Police (**OPP**) who served as the OPP critical incident commander (**CIC**) in response to the Ambassador Bridge blockade. She previously served with OPP as a road sergeant, staff sergeant, detachment commander, and staffing and training lead for the West Region. Superintendent Earley is a trained and experienced incident commander (**IC**) and CIC and experienced negotiator who teaches IC and CIC courses. She explained that OPP employs CICs to respond to high-risk incidents, such as those involving weapons or possible loss of life, and that ICs are used for less risk incidents. She completed all four levels of the Incident Management System training system by 2008, graduated from the Canadian Police College's leadership executive development program in 2019, and completed the Rotman School of Management leadership program at the University of Toronto in October 2021. She is familiar with the OPP's Framework for Police Preparedness for Indigenous Critical Incidents, an OPP critical policy that stresses a phased approach to policing protests based on gathering intelligence and employing provincial liaison team (**PLT**) officers to engage with protestors. Superintendent Earley stated that she understands that this OPP critical policy is consistent with the Canadian Association of Chiefs of Police National Framework for Police Preparedness for Demonstrations and Assemblies (**CACP National Framework**).

Before the blockade of the Ambassador Bridge, Superintendent Earley had assisted Windsor Police Service (**WPS**) with hostage takings. She was also familiar with WPS then-Deputy Chief Jason Bellaire and Inspector Karel DeGraaf, as she attended the same CIC training class as Deputy Chief Bellaire and the same Rotman program as Inspector DeGraaf.

Pre-Blockade Role, Appointment as OPP CIC, Prioritization of Windsor

Pre-Blockade Role

Starting in January 2022 and continuing until February 9, Superintendent Earley served as the strategic commander for Freedom Convoy-related protests and blockades in West Region. She oversaw OPP's response to numerous slow-roll protests, including an incident where Highway 402 was blocked. On February 7, she learned that protestors had blockaded the Ambassador Bridge. Following the establishment of the blockade and before her appointment as CIC, she received and approved a request from WPS to deploy two OPP PLT officers to Windsor to engage with the protestors.



Appointment as CIC & Prioritization of Windsor

On February 9, OPP Deputy Commissioner for Field Operations Chris Harkins appointed Superintendent Earley to serve as OPP's CIC in Windsor and oversee the response to the blockade of the Ambassador Bridge. Deputy Commissioner Harkins informed Superintendent Earley that he selected her because of her experience and training. As CIC, Superintendent Earley's role was mostly operational. She worked closely with Superintendent Franca Campisi, who served as OPP's regional strategic commander for West Region.

At the time of her appointment on February 9, Superintendent Earley was based in London, Ontario. She spent the rest of that day in London speaking with WPS officers to develop situational awareness and attempting to assemble public order unit (**POU**) resources. She also asked a staff sergeant from OPP's Essex detachment to attend WPS's command post, located in a fire hall 10 kilometers from the Ambassador Bridge, to start providing situational reports. She arrived in Windsor early on the morning of February 10.

Upon Superintendent Earley's appointment as CIC, Deputy Commissioner Chris Harkins and Deputy Commissioner Rose DiMarco communicated to her that Windsor was a priority and that she would receive whatever resources she needed. She understood that OPP's focus was to assist Windsor and open the bridge as soon as possible, subject to the need to ensure public and officer safety. During a February 10 8:30 a.m. call, Deputy Commissioners Harkins and DiMarco again advised Superintendent Earley that Windsor was the priority and that it was urgent to resolve the blockade. Superintendent Earley understood that resolution was urgent because the bridge closure was having massive economic impacts, including job layoffs, on Windsor, Ontario, and Canada, that the crowd of protestors at the blockade was increasing in size, and that public and officer safety risks were escalating.

Creation of OPP Command Team and Initial Assessment of Situation

After her appointment as CIC, Superintendent Earley assembled a team of OPP personnel to support her at the command post. She appointed Superintendent Derek Needham to cover for her as CIC during her off-duty sleeping periods. She also appointed Inspector Wendy Burrows to serve as OPP IC and delegated key tasks to her such as arranging logistics for police reinforcements. She asked Inspector Jason Younan to create a public order plan and coordinate obtaining public order unit (**POU**) resources with the POU hubs. She explained that POU hubs were regional hubs that combined POU teams from different police services to support policing public order events in that region and to provide relief to deployed POU teams if needed. She also was assigned two OPP Provincial Operations Intelligence Bureau (**POIB**) members to provide intelligence support, and a POIB team lead joined the command post and provided intelligence directly to Superintendent Earley.

At 11:59 p.m. on February 9, Superintendent Earley emailed a summary of the situation in Windsor to Deputy Commissioner Harkins to share with Commissioner Carrique. The



email highlighted escalating risky behaviour by protestors, including a protestor arrested for dangerous driving and protestors swarming officers after the arrest was made. Superintendent Earley stated the large numbers of protestors in attendance increased these risks and that risky behaviour increased at night due to drug and alcohol consumption. Superintendent Earley nonetheless believed that a policing solution to the demonstration was possible, hopefully through negotiations, but if necessary, through the removal of the crowd and a public order response.

Establishment of Joint Command & Command Table, Operation of Incident Command System, and Relations with WPS, OPP, RCMP, and City of Windsor Leaders

Establishment of Joint Command & Command Table

Upon arrival in Windsor on the morning of February 10, Superintendent Earley engaged in discussions with the WPS command team, including Deputy Chief Bellaire. During those discussions, Deputy Chief Bellaire told her that WPS welcomed OPP's assistance, understood that OPP had more experience policing blockades and protests than WPS, and understood that all operational decisions needed to come through Superintendent Earley. After those discussions, Superintendent Earley spoke to OPP East Region Superintendent Craig Abrams and informed him that "Windsor has told us this is now ours." Superintendent Earley explained that she meant by this that OPP was in charge, and that WPS would be working alongside OPP. Superintendent Earley explained that she respected that WPS were the police of jurisdiction and that WPS continued to have responsibilities to supervise and manage its members.

Following these initial conversations, Superintendent Earley established what she characterized as a joint OPP-WPS command. She served as OPP's CIC, and WPS then-Superintendent Jason Crowley and Inspector DeGraaf took alternating shifts as WPS's CIC. She explained that OPP played the lead role in the joint command and that all operational decisions came to her. She was responsible for overseeing the development of and approving an operational plan, a public order plan, and other supporting plans. Upon approving those plans, she would share them with WPS, which in turn was responsible for arranging its resources to support those plans. WPS continued to have responsibility for media releases and messaging, but WPS provided Superintendent Earley an opportunity to review media releases before they were published. Superintendent Earley explained that the joint command functioned effectively and that there was a high degree of trust and confidence between her and WPS, especially Deputy Chief Bellaire and Inspector DeGraaf whom she knew from prior professional development courses.

Superintendent Earley also formed a command table and a POU planning team. The command table had the following members: Inspector Burrows, Inspector De Graaf, sergeants from OPP and WPS intelligence units, OPP and WPS media officers, OPP PLT team lead Provincial Constable Jason Richardson, WPS Inspector Jennifer Crosby to assist Inspector Burrows with logistics, the team lead of WPS's crime unit, and representatives of the Canada Border Services Agency (**CBSA**), Emergency Medical Services, and Windsor Fire & Rescue Services. Inspector Younan worked in a different



area of the command post to formulate a public order plan and assemble POU officers and attended the command table periodically to provide updates. Superintendent Earley explained that she needed broad representation at the command table so that she could obtain each team, agency, or specialized unit's distinct perspective and ensure that a team effort to achieve a successful resolution was made.

Operation of Incident Command System & Relations with WPS, OPP, and City of Windsor Leaders

WPS strategic leaders then-Chief Pamela Mizuno and Deputy Chief Bellaire supported Superintendent Earley's autonomy as CIC and did not interfere with her operational decisions. Superintendent Earley never needed to seek WPS approval for operational decisions, and Chief Mizuno and Deputy Chief Bellaire did not participate in the plan development and approval process. Superintendent Earley explained that when Deputy Chief Bellaire visited the command post frequently to thank officers for their work, he told officers there that he was attending to support Superintendent Earley and that they should raise operational questions or concerns with her rather than him. Superintendent Earley circulated situation reports to keep Chief Mizuno and Deputy Chief Bellaire updated and spoke with them regularly, including by informing them of her decisions and the reasons for those decisions. She also assured them that WPS would be included in the joint command and that OPP would not keep secrets from WPS.

Superintendent Earley explained that OPP strategic leaders, including Commissioner Carrique, Deputy Commissioner Harkins, Chief Superintendent Dwight Thib, and Superintendent Campisi, also respected her autonomy as CIC and did not interfere with her operational decisions. As with Chief Mizuno and Deputy Chief Bellaire, Superintendent Earley briefed OPP strategic leaders on her decisions and provided regular situation reports.

Superintendent Earley relied on Deputy Chief Bellaire, Superintendent Crowley, and Inspector DeGraaf to liaise with the City of Windsor (**City**) to obtain resources from the City's roads department. Superintendent Earley had few direct dealings with the City. She did not review City media announcements before they were released but did urge WPS to encourage the City to consult with police before making announcements.

Superintendent Earley explained that it was important to the functioning of the Incident Command System that she enjoyed autonomy to make operational decisions without interference by the strategic leadership of WPS, OPP, or other partner agencies. She stated that as CIC, she was receiving a full picture of information about the incident and was expected to make operational decisions in a timely manner, as well as correct any operational decision that proved to be an error. Interference by strategic command could lead to decisions not being made in a timely manner or not being made at all, which could prevent successful resolution of the incident.



Development of Mission Statement & Development and Approval of Plans

Mission Statement

On February 10 at 9:00 a.m., Superintendent Earley developed the following mission statement:

The OPP and our policing partners will keep the peace, enforce legislation, establish and maintain the safe flow of traffic and respecting individuals' *Charter* rights to peaceful assembly and freedom of speech, with public and officer safety being paramount.

Superintendent Earley explained that the main goal embedded in the mission statement was to reopen the Ambassador Bridge and maintain the safe flow of traffic. She disseminated the mission statement by putting it on a board in the command post, sharing it with team leads, and creating an insert containing the mission statement for officer notebooks. She also explained that she may have had discussions with her command post team to unpack the mission statement. She explained that team leads were responsible for ensuring that every member of every police service assisting with the incident was aware of the mission. The mission statement continued to guide all assisting officers from February 10 onwards.

Development of Plans

Superintendent Earley oversaw the development of an overall operational plan, a public order plan, and various supporting sub-plans. She explained that the public order plan required supporting traffic and towing plans to ensure that protestors and their vehicles had a route to leave the site and that police could tow protestor vehicles and restore traffic flow. Police also developed mass arrest and prisoner transport plans and gathered prisoner vans. PLT was incorporated into planning and was to engage with protestors prior to enforcement by POU units. While Superintendent Earley did not expect children to be present at the blockade site when enforcement began, she ensured that a contingency plan was developed in the event that children were present and their parents were arrested. Under this plan, unmarked police cruisers were to bring children to CAS personnel situated off-site for processing. Superintendent Earley explained that as CIC, her responsibility was to ensure that all these sub-plans were in place so that police were ready to manage any potential situation and ensure public and officer safety.

Superintendent Earley described the planning process as a team effort based on command table discussions. Team members shared ideas concerning various potential scenarios and incidents, and planners developed options to ensure a safe resolution if those incidents arose. Specifically, the command table discussed and incorporated into the planning, considerations about the timeline to execute the plan, and PLT's progress in negotiations with protestors, along with intelligence on protestor movements and numbers, potential counter-protests, and the presence of children at the blockade site. Superintendent Earley explained that Inspector Younan had raised some of these considerations with her by email on February 10 at 11:50 a.m.



On February 10, at a 4:21 p.m. planning meeting, Inspector Younan informed Superintendent Earley that conducting a mass removal of protestors would be neither safe nor sustainable because the blockade site was nearly 3 kilometers long. To ensure that police could maintain and hold the cleared zone, Inspector Younan proposed that POU officers clear the zone area by area. Superintendent Earley supported this approach because it would allow police to observe how protestors reacted to police enforcement. After POU cleared an area, frontline officers would move in to hold it, and tow trucks would remove vehicles to prevent protestors from retaking it.

At the February 10 planning meeting, Superintendent Earley selected a February 12 end-of-day deadline to restore the flow of traffic in both directions. She selected this deadline because she knew that by the end of day on February 11, she would have received and approved Inspector Younan's public order plan and that all required resources would have arrived. During a 9:30 a.m. call with OPP command staff on February 11, Superintendent Earley informed Chief Superintendent Thib that she planned to launch the operation on the morning of February 12 because fewer protestors and no children would then be present at the blockade site. Superintendent Earley explained that many protestors would return to their homes late at night after parties at the blockade site and that intelligence showed that children did not stay overnight at the site.

Approval of Plans

Superintendent Earley and her team completed the operational plan, the public order plan, and the various sub-plans in a two-day period between February 10-11. Inspector Younan sent Superintendent Earley the public order plan on February 11 at 5:01 p.m., and she approved it at 7:24 p.m. that same evening. Superintendent Earley explained that the public order plan included a specific mission statement for POU officers, namely to "conduct a systematic clear of people and vehicles in the area of operation in order to facilitate the resumption of traffic flow from the US into Canada." Superintendent Earley explained that Inspector Younan developed this specific mission statement and that it assisted the overall mission statement of restoring the safe flow of traffic.

On February 11, Superintendent Earley also approved an overall operational plan titled "Operations Plan: Freedom Convoy, Windsor Ambassador Bridge." The plan stated that it contemplated "an escalation in police response that is a considered and measured approach," and that "[e]vents associated with Ambassador Bridge blockade/convoys shall be addressed at the lowest competent level in an effort to affect a peaceful resolution." Superintendent Earley explained that she envisioned a ladder of police responses, beginning with PLT negotiations to convince protestors to leave, escalating to having the City's by-law department ticket protestors' vehicles, and ending with POU enforcement to clear any protestors who remained. She anticipated that if police worked upwards through the ladder of responses, only a handful of hard-core protestors would remain when the enforcement operation was launched. She explained that many protestors were attending the blockade out of interest or to be in a social media limelight and were not aware that the blockade was illegal or that the cars they were parking on side streets near the blockade site could be ticketed and towed. Superintendent Earley stated that she did request the City's by-law department to ticket and tow protestor vehicles from side streets



and that some protestor vehicles left and never returned to avoid being ticketed and towed.

The operational plan stated that the OPP Deputy Commissioner for Field Operations, Deputy Commissioner Harkins, would approve decisions to send in POU officers to remove the blockade. Superintendent Earley explained that OPP policies require the Deputy Commissioner for Field Operations to approve such enforcement actions. Superintendent Earley stated that her role was to ensure that a public order plan was in place and ready to enact, brief Deputy Commissioner Harkins on it, and proceed to action the public order plan if he supported it. Superintendent Earley explained the requirement for Deputy Commissioner Harkins' approval would not cause delay because he was being briefed and receiving intelligence reports throughout the blockade and was on standby to provide approval if required.

Assembling Additional Resources

Upon assuming command, Superintendent Earley determined that she needed additional resources and quickly obtained them. Specifically, she determined that she needed POU officers to potentially clear the blockade site, as well as traffic and frontline officers to isolate and contain the blockade site and ensure public and officer safety both within and outside of the blockade site. By late in the day on February 11, Superintendent Earley had received all the resources that she deemed necessary to carry out the mission.

Mobilization of Additional OPP Resources

Superintendent Earley understood that OPP would be supplying between 100 to 200 additional officers, at first from the areas immediately surrounding Windsor, and later from other regions of Ontario. OPP assembled these resources from both frontline policing detachments and OPP's specialized bureaus. For instance, at 5:25 p.m. on February 10, Superintendent Earley and other West Region OPP officers received an email from Chief Superintendent Thib that referenced intelligence from Deputy Commissioner Harkins concerning additional potential blockades in the Windsor area and stated that "[t]he deployment of officers to Windsor is our highest priority at the time." Superintendent Earley understood from this email that OPP was prioritizing sending reinforcements to Windsor. She was aware of reports that protestors were considering blocking the Windsor-Detroit Tunnel and the WPS headquarters and noted that OPP had to protect the Windsor-Detroit Truck Ferry as well.

Superintendent Earley explained that she identified and took steps to correct coordination problems in the mobilization of West Region OPP resources. Detachment commanders lacked clarity on how and when to deploy officers to Windsor and called Superintendent Earley's command post to obtain answers. Superintendent Earley contacted Superintendent Campisi and asked her to ensure better coordination of resource requests so that detachment commanders were not distracting her from her work.

Superintendent Earley also deployed additional OPP PLT resources to Windsor. When she arrived in Windsor, two OPP PLT officers were already present and had begun



engaging with protestors. She subsequently brought in two additional PLT members, along with Provincial Constable Richardson as the PLT team lead.

Mobilization of POU & RCMP Resources & Relationship with RCMP

On the evening of February 9, Superintendent Earley participated in calls with the West Region POU hub to obtain POU resources for Windsor. During this call, she learned that POU officers from the Hamilton Police Service, London Police Service and Waterloo Regional Police Service would be deploying to Windsor. These POU officers arrived on February 10.

Deputy Commissioners Harkins and DiMarco informed Superintendent Earley during a February 10 8:30 a.m. call that RCMP would be supplying 150 POU officers. Those RCMP officers arrived by February 11. Superintendent Earley explained that the RCMP officers were not sworn in as WPS special constables because for their public order role they only needed to enforce the *Criminal Code*, not provincial or municipal laws. Superintendent Earley used the RCMP POU officers as a backup team that would deploy only in the event of extreme violence. Superintendent Earley also learned that RCMP would be supplying frontline officers. Those officers arrived on February 13.

Superintendent Earley stated that there were two RCMP points of contact with her command post: the RCMP POU commander, and the commander of the RCMP frontline officers. The RCMP POU commander liaised with Inspector Younan, while the commander of the RCMP frontline officers liaised with Superintendent Earley. She explained that the RCMP commanders also respected her autonomy as CIC and did not interfere with her operational decisions. She would keep RCMP commanders informed but retained operational decision-making authority. RCMP in turn carried out her operational decisions concerning the situation in Windsor.

Mobilization of WPS Resources

Superintendent Earley also obtained resources from WPS. When she determined a need for a particular type of officer, such as traffic control officers, she would request WPS to supply a portion of those officers and then would obtain the rest from OPP or other assisting police forces.

Mobilization of Towing and Traffic Control Resources

Superintendent Earley also obtained towing, traffic barriers, and road signage resources. For towing, Superintendent Earley used a local tow company that WPS had a contract with. Superintendent Earley and her team expected that additional towing assistance would be required, and so the team was exploring other options, and learned that the Governor of Michigan, Gretchen Whitmer, had offered assistance, and that a US tow company would be available to assist if necessary. Superintendent Earley's traffic inspector engaged with that company and US tow trucks were deployed and staged in Windsor. Ultimately police never used these trucks to tow vehicles as the tow company arranged by WPS was ultimately able to perform the towing that was required. In order to



secure areas once they were cleared, Superintendent Earley's team arranged for road barriers, that consisted of large vehicles such as City of Windsor salt trucks, other large trucks and snow plows, as well as cement barriers provided by a private company, arranged with the assistance of the Ontario Ministry of Transportation. The Ministry of Transportation also assisted by providing updated messaging on electronic highway signs.

Relationship between Resource Requests and Planning

Superintendent Earley discussed the relationship between requesting resources and planning. She explained that when she took command on February 9, WPS did not know the specific numbers and types of officers it required and that the on-the-ground situation on February 9 dictated bringing in additional frontline and traffic officers to ensure public and officer safety. OPP accordingly sent as many officers as possible. After Superintendent Earley arrived in Windsor on the morning of February 10 and began to develop a plan, she was able to develop more specific numbers and types of resources required to ensure that police had options to respond to various contingencies. She explained that developing an operational plan was essential to ensure that the deployment of resources would be impactful and resolve the blockade.

Perspective on Public Announcement of Resource Needs

Before her appointment as CIC, Superintendent Earley watched a February 9 morning press conference in which Windsor Mayor Drew Dilkens announced that he had spoken to federal and provincial officials and was requesting additional resources, but did not provide specific numbers. Superintendent Earley stated that, after she was appointed OPP CIC, WPS and the City did not make any public announcements requesting resources. Superintendent Earley stated that her preference would be to not announce the number of police officers requested. She explained that doing so could elevate public concern that the police do not have sufficient resources to protect the community and could also lead protestors to believe that they know what techniques or operations police are likely to adopt. Superintendent Earley explained that she was not concerned about announcing a resource request without sharing specific numbers, but she hoped that the agencies being asked to provide resources would be consulted in advance of the announcement so that they could prepare for its potential impacts.

Role of Intelligence and PLT

Role of Intelligence

Superintendent Earley ensured that intelligence was collected from numerous sources and incorporated into planning. An intelligence officer was assigned to gather open-source intelligence from reviewing media and social media. WPS received intelligence from US law enforcement partners that helped provide overall awareness. Further, police operated a drone and used CBSA-operated pole cameras to gather information on the size and location of protestor crowds, detect overt action by crowd members, and keep a close watch on potential public and officer safety issues. Police also brought in a



helicopter as an additional surveillance option on February 12 in case access to the drone or pole cameras was lost. Superintendent Earley stated that the POIB team lead in the command post provided intelligence to her directly and in a timely manner and directed his team to provide additional intelligence when Superintendent Earley requested it.

Superintendent Earley ensured that intelligence was gathered on the presence of children in the crowd to ensure that police operations did not endanger children. Police used the drone camera to identify protestor vehicles that contained children, and then frontline officers confirmed that those vehicles contained children and provided information as to the vehicles' movement patterns. Based on this intelligence, Superintendent Earley determined that children did not stay at the blockade site overnight, which influenced her decision to plan to launch the enforcement operation on the morning of February 12.

Role of PLT

Under Superintendent Earley's direction, PLT teams began to engage with protestors and identify leaders. PLT identified three distinct protestor groups, and identified 1-2 people in each group that were willing to speak to police. PLT briefed Superintendent Earley that the protestors were disjointed, which presented challenges because police did not know if a protestor group would actually listen to a protestor who offered to speak to police on behalf of the group. PLT attempted to foster consensus among the protest groups, but these efforts met with only limited success. Superintendent Earley stated that the online social media support that protestors received from people in other Canadian provinces and foreign countries reinforced their conviction and made it more difficult for police to convince them to leave.

Superintendent Earley stated that PLT identified several protest leaders or spokespeople: Jake Neufeld, Nicole Dicredico (who operated a social media account with the handle "Hot Donna"), Bill Laframboise, and Aaron Rock. Mr. Neufeld was associated with the protestor group near the McDonald's close to the intersection of College Avenue and Huron Church Road and was very vocal on behalf of his group. Superintendent Earley described Ms. Dicredico as a cheerleader who encouraged protestors to keep protesting and maintain resolve but ultimately departed the blockade site after she realized that police reinforcements were arriving and the situation became too intense for her. Superintendent Earley could not recall which protestor group Mr. Laframboise was associated with. Superintendent Earley described Mr. Rock as a local pastor who had experience instilling anti-government or anti-police sentiment in crowds. Superintendent Earley stated that Mr. Rock attempted to seize the limelight and convince protestors to maintain the blockade. In her view, none of the protest leaders were police-friendly.

On February 9 and 10, PLT engaged with protestors to ask them why they were protesting, what they hoped to accomplish, and how police could assist them to move. These efforts did not convince protestors to leave. On February 11 at 8:31 a.m., Superintendent Earley directed Constable Richardson to change messaging and to communicate to protestors that they had achieved their goal of making an impact because the world was watching the blockade and governments were aware of their discontent. Superintendent Earley hoped that this new message would convince protestors to leave.



In addition to engaging with protestors, PLT also engaged with potential counter-protestors to attempt to mitigate their concerns and prevent them from attending the blockade site and confronting protestors. PLT engagement gave potential counter-protestors an opportunity to vent their concerns and in turn enabled PLT to learn what they were planning. On February 11 at 1:42 p.m., PLT informed Superintendent Earley that David Cassidy, the president of the local autoworkers' union chapter, UNIFOR Local 444, claimed that he had spoken to Ontario Premier Doug Ford and that he was willing to bring autoworkers to the blockade site to forcibly clear out protestors by Monday, February 14 if police had not cleared the blockade by that date. Superintendent Earley stated that the PLT officer liaising with Mr. Cassidy was able to create a good rapport with him and convince him to stand down over the weekend by informing him that police had brought in reinforcements and had a plan to promptly clear the blockade. Superintendent Earley was not aware of other specific potential counter-protests.

Superintendent Earley stated that the potential counter-protests reminded her of the impact that the blockade was having on the Windsor local community, Ontario, and Canada. She stated that it was important to keep counter-protestors informed to keep their emotions even and avoid interactions between protestors and counter-protestors that could cause public safety concerns.

[The Effect of the Superior Court Injunction and Provincial Emergency Declaration](#)

On February 11, the Ontario Superior Court of Justice granted the Automotive Parts Manufacturers' Association's motion for an injunction prohibiting a blockade of the Ambassador Bridge. Superintendent Earley incorporated the injunction into social media messaging and the OPP's crime unit considered whether to charge protestors for violating the injunction. WPS publicized the injunction, but OPP and WPS did not physically serve protestors with the injunction due to officer and public safety concerns. Superintendent Earley's assessment was that the injunction was not particularly useful. She was unsure whether the injunction had much effect at convincing protestors to leave, and noted that PLT had already made considerable efforts to educate protestors that their actions were unlawful before the injunction was in place.

On February 11, Premier Ford declared a province-wide emergency under the *Emergency Management and Civil Protection Act (EMCPA)*. Superintendent Earley incorporated the EMCPA into messaging and PLT shared a pamphlet with protestors that informed them that the EMCPA measures prohibited impeding traffic at international border crossings and that violations could be punished by fines and jail time. PLT delivered this pamphlet to protestors shortly after the Premier's declaration. Superintendent Earley's assessment was that the EMCPA declaration had a greater impact on the protestors than the injunction because protestors perceived that the emergency declaration demonstrated that the government was serious. She determined that this perception had a greater impact on protestors than the specific penalties the EMCPA measures prescribed. On February 11 at 1:40 p.m., Superintendent Earley advised Chief Superintendent Thib that a few protestors left due to the EMCPA declaration, but that other protestors dug in their heels even more.



Negotiation Proposal & Discussions of Delaying the Operation

Negotiation Proposal

On the afternoon of February 11, Constable Richardson informed Superintendent Earley that one of the protest leaders, Mr. Neufeld, told him that protestors wanted to receive a letter from the provincial government inviting them to a meeting with provincial government representatives. Constable Richardson reported that Mr. Neufeld stated that protestors would leave if they obtained the letter and meeting.

Superintendent Earley was hopeful that receipt of a letter could convince the protestors to leave because this was the first substantial request that protestors had made to police. She promptly contacted OPP command to try to obtain the letter. At 4:25 p.m., she spoke with Commissioner Carrique and Deputy Commissioner Harkins, who were supportive of the negotiation proposal and said they would attempt to obtain the letter from the provincial government. At 4:40 p.m., Commissioner Carrique advised Superintendent Earley that the provincial government had agreed to send the protestors a letter. Superintendent Earley reviewed a draft of the letter at approximately 5:00 p.m. and OPP command approved it at 5:29 p.m.

Decision to Delay the Operation

At 5:30 p.m., Superintendent Earley joined a teleconference with Chief Superintendent Thib, Superintendent Campisi, Superintendent Mike McDonnell, Superintendent Dan Alakas, Inspector Joe Varga. Superintendent Earley explained that Superintendent Alakas served with OPP's Field Support Bureau, that Inspector Varga was a West Region CIC, and that both were working at Provincial Emergency Operations Centre. Superintendent Alakas informed call participants that PLT would be providing a letter to the Ottawa protestors that was similar to the letter from the provincial government to the Windsor protestors that OPP approved at 5:29 p.m. He stated that PLT would deliver the letter to the hard-core group of Ottawa protestors on the afternoon of Sunday, February 13, after the influx of protestors that police were expecting on the weekend of February 12-13 had departed. Superintendent Alakas stated that it was common for thousands of additional protestors to flow into Ottawa on weekends to enjoy the party atmosphere, but that these protestors would depart at the end of the weekend, leaving only the hard-core group of protestors behind.

Superintendent Earley decided to delay the enforcement action planned for the morning of February 12 after learning that PLT would be delivering a letter to the Ottawa protestors. She made this decision because she was concerned that enforcement in Windsor could negatively impact the contemplated negotiations with the Ottawa protestors. She planned to wait until PLT delivered the letter to the Ottawa protestors on the afternoon of February 13 and coordinate with police in Ottawa on next steps depending on how protestors responded. Superintendent Earley advised her command table at 6:17 p.m. on February 11 that she had decided to pause the enforcement action.



Discussions with OPP Command and Decision to Proceed with the Operation

During a 6:47 p.m. call that same date, Deputy Commissioner Harkins told Superintendent Earley not to pause enforcement out of concern about the potential impact on the Ottawa protestors. He reminded Superintendent Earley that her priority had to be the Windsor blockade, and that he and his team would handle any potential impacts on Ottawa that enforcement in Windsor might cause. Superintendent Earley advised Deputy Commissioner Harkins of the risk that police enforcement action could have impacts on Ottawa and lead to an increase in aggression and violence by protestors, and Deputy Commissioner Harkins confirmed that he was aware of these risks.

At 6:56 p.m., Superintendent Earley joined another call with Commissioner Carrique and Deputy Commissioner Harkins. Deputy Commissioner Harkins told Superintendent Earley that he briefed Commissioner Carrique on the situation and both Commissioner Carrique and Deputy Commissioner Harkins reiterated that they supported Superintendent Earley to move forward with enforcement on the morning of February 12. During the call, Superintendent Earley was informed that POIB's Bureau Commander, Superintendent Pat Morris, thought that enforcement in Windsor might have positive impacts on protests elsewhere in Canada.

Following this call, at 7:06 p.m., Superintendent Earley advised her command table that they should proceed with launching the enforcement operation on the morning of February 12. She informed them that the change in direction came from Commissioner Carrique and Deputy Commissioner Harkins. Superintendent Earley stated that her command table received the news well.

Superintendent Earley characterized her conversations with Commissioner Carrique and Deputy Commissioner Harkins as productive and consistent with the Incident Command System model. She understood the discussions to concern strategic decisions about the potential impacts of enforcement in Windsor on other protest sites that OPP command-level officers should be making, rather than operational decisions reserved for her as CIC.

Effect of Provincial Letter on the Protestors

Shortly after 8:00 p.m. on the evening of February 11, Superintendent Earley received a letter signed by Ontario Solicitor General Sylvia Jones. The letter offered protestors a meeting with provincial representatives at which their issues could be heard if protestors immediately left the blockade site. PLT provided the letter to Mr. Neufeld and distributed it to other protestors. Superintendent Alakas informed Superintendent Earley at 9:02 p.m. that OPP PLT officers in Ottawa would be putting out similar messaging. PLT informed Superintendent Earley that Mr. Neufeld thanked PLT for the letter but stated that protestors would not leave immediately as the letter requested. PLT also informed Superintendent Earley that other protestors did not want to leave because a party had just begun at the blockade site. On February 12 at 7:22 a.m., Superintendent Earley was advised that some protestors were happy with the letter and had left, but that other protestors did not care.



Superintendent Earley determined that the letter had very little effect on the protestors. She explained that providing a greater interval of time between the letter and the launch of the enforcement operation would not have made a difference because the letter was clear that protestors needed to leave immediately and protestors did not do so.

The February 12-13 Enforcement Operation

Superintendent Earley launched the enforcement operation on the morning of February 12. That morning, with POU units on scene and visible to protestors, PLT engaged with protestors at the train tracks north of College Avenue close to the CBSA port of entry facility for the Ambassador Bridge and told them to leave. Few protestors did so. After engaging, PLT removed themselves and POU moved in. At 8:44-8:45 a.m., Inspector Younan informed Superintendent Earley that POU had cleared the first area between Wyandotte Street West and the railway tracks just north of College Avenue and would be proceeding to the second area. The second area ran from the railway tracks south to the intersection of College Avenue and Huron Church Road, which was the first major intersection south of the CBSA facility. At 11:12 a.m., Superintendent Earley was updated that POU had cleared the second area and were moving into the third area further south on Huron Church Road at the intersection with Tecumseh Avenue, which was the second major intersection south of the CBSA facility. POU made more rapid progress than the plan contemplated, as the plan for February 12 was only to take the first area.

Superintendent Earley attributed police success to the quality and effectiveness of the POU officers and the decision to launch the operation in the morning. She noted that Inspector Younan consulted with her and decided on the spot to proceed to clear area two after clearing area one. She also observed that few protestors were present when the police operation began in the early morning due to the cold weather and the fact that many protestors had been partying at the blockade site late into the evening of February 11.

After clearing areas, police promptly installed barriers to block access to the cleared areas and had installed numerous such barriers by 2:44 p.m. Superintendent Earley explained that the enforcement action could escalate the protestor response, so installing barriers was necessary to hold the areas and prevent protestors from returning. She observed that protestors' retaking areas police had previously cleared could elevate counter-protests by creating a perception of police failure. Superintendent Earley also noted that it was important to remove vehicles because police did not know what protestors had left in those vehicles, and cited a bomb threat that police dealt with on February 12 as an example.

On the afternoon of February 12, Superintendent Earley decided in consultation with her POU teams to pause POU movement part way through area three and hold the POU line. At that time, the number of protestors had increased such that protestors outnumbered police, and police were observing increased emotions and aggression by protestors. Superintendent Earley stated that there was an additional influx of protestors on the evening of February 12 after the POU line was established, that protestors refused police requests to clear the area and verbally abused police, and that police made their first



arrest after a protestor attempted to cross the POU line. At 7:49 p.m. that evening, Inspector Younan informed Superintendent Earley that he needed 8-10 WPS cruisers to reinforce the POU line to hold it against protestors who were becoming aggressive and seeking to retake parts of the blockade site. Reinforcements arrived and the line held.

On the morning of February 13, Superintendent Earley determined that the only protestors remaining in area three were a hard-core group and that the time for PLT engagement had ended. She explained that PLT had been informing protestors throughout February 12 that they needed to leave and that further engagement would be fruitless. POU crossed the line at 7:54 a.m. on February 13 and cleared area three within an hour, by 8:46 a.m. Superintendent Earley attributed POU's success to the lower number of protestors in the early morning and her recognition that further negotiations would be fruitless.

Police arrested numerous protestors at the blockade site on the morning of February 13. Superintendent Earley stated she learned on February 12 that protestors had refused to leave the blockade site despite the police operation and PLT messaging. Accordingly, she determined that arrests were necessary to hold the cleared areas and restore the flow of traffic.

Post-Operation Phase

After clearing the third area on the morning of February 13, police created an exclusion zone on Huron Church Road that prevented members of the public from accessing the former blockade site via side streets. On February 13 at around 10:15 a.m., Superintendent Earley advised WPS Inspectors Crosby and DeGraaf that she planned to close all side streets by installing wall-to-wall cement barriers so that Huron Church Road would be the only way on or off the Ambassador Bridge. Superintendent Earley explained that the plans and logistics to install those barriers had been in place since the morning of February 12. Police designated spots on Huron Church Road without barriers for emergency vehicles and members of the public with a legitimate need to cross to pass through, but otherwise excluded members of the public from entering Huron Church Road via side streets. Superintendent Earley characterized the Huron Church Road area as an exclusion zone, reminded frontline officers that they could arrest persons who entered the zone, and messaged to the public that persons not traveling to or from the U.S. should avoid the area. She noted that many frontline officers were present to secure the zone and that police were prepared to make arrests for *Criminal Code* mischief and under the EMCPA measures.

Superintendent Earley advised that police did not rely on powers granted under the *Emergencies Act* to create the exclusion zone because police created the zone before the federal government declared a public order emergency on February 14. She stated that powers granted under the *Emergencies Act* were a tool available to police to maintain the exclusion zone after February 15, but was not aware if those powers were ever used.

Superintendent Earley also took steps to ensure that sufficient police resources remained to secure the former blockade site. At 1:48 p.m. on February 15, Superintendent Earley



discussed resourcing with Superintendent Alakas, Inspector Varga, and Superintendent Chuck Wesley, who was assigned to Provincial Emergency Operations Centre. She informed them that it would be irresponsible to remove all POU officers from Windsor and send them to Ottawa and that she needed at least one POU to remain in Windsor. She was concerned that police were obtaining less intelligence about the protestors' contemplated activities because protestors had stopped using public social media platforms that police had access to and had shifted to using a different, more private platform. While some officers were redeployed to Ottawa, Superintendent Earley retained sufficient resources to ensure that police held the former blockade site.

Superintendent Earley observed that there was a delay in swearing in additional RCMP frontline officers that arrived on February 13 to secure the cleared blockade site and that these officers had not been sworn in by the morning of February 14. She noted that the frontline RCMP officers needed to be sworn in to enforce provincial and municipal law, unlike POU members who were only expected to enforce the *Criminal Code*. Superintendent Earley was unaware of the reasons for the delay in swearing the additional RCMP officers in and noted that WPS was overseeing the swearing-in process. She observed that the delay did not adversely impact police operations because each RCMP officer was paired with a non-RCMP officer with full authorities.

As February progressed, Superintendent Earley began to transition control of the former blockade site from OPP to WPS and gradually reopen side streets. On February 16, she discussed increasing WPS officers present to 50% of the total officers, and this number gradually increased to 60% and beyond. Police also gradually reopened side streets to measure the reaction by the community and protestors and based these decisions on intelligence about potential protests. Superintendent Earley ceased to serve as CIC and left Windsor on February 23, but OPP maintained a presence at the former blockade site for the next week and a half.

Superintendent Earley stated that the transition generally went well, although she observed that WPS encountered challenges in assembling the necessary resources. WPS did not initially assign officers in specialized teams such as the crime unit and criminal investigations to frontline policing tasks at the former blockade site until Superintendent Earley intervened with WPS to ensure that specialized team officers were made available. Further, Superintendent Earley observed that the Windsor Police Association initially resisted WPS command's decision to cancel vacations and rest days to ensure sufficient staffing.

[Lessons and Recommendations for the Future](#)

Superintendent Earley attributed the success of the Windsor operation to her team members. She credited their abilities and skills, and willingness to learn from each other and not insist on always being right. She stated that she was grateful that the City, WPS, and her team entrusted their faith to her. She noted that she shared insights on what worked for OPP in Windsor with OPP officers with responsibilities for policing in Ottawa during and after the blockade.



Superintendent Earley also identified several lessons that she learned during her time as CIC. These lessons include the following:

- 1) Ensure that the CIC visits frontline officers and asks them what they need and what command could do better.
 - Superintendent Earley stated that these visits improved officer morale and provided her with new ideas to assist PLT; for instance, she explained that she arranged for WPS's contracted laundromat to deliver laundry to her officers when a member stated that he had not been home in 8 days and was running out of laundry.
- 2) Streamline the process for granting RCMP officers provincial and municipal authorities.
 - Superintendent Earley stated that there should be a single point of contact for the authority-granting process.
 - She stated that someone should be able to grant the RCMP officers the necessary authorities in a sweeping, overall manner before they arrived so that they are ready to be deployed upon arrival.
 - She stated that the process to swear in RCMP members should be laid out and explained better so that the CIC does not need to determine how to swear members in while simultaneously managing the incident.
- 3) .
- 4) Create a WPS PLT unit and provide PLT training to WPS officers.
 - Superintendent Earley noted that she connected WPS with OPP's PLT coordinator to arrange for PLT training and that WPS officers accompanied OPP PLT members during the blockade to learn more about the PLT role.
- 5) Designate a media staging area.
- 6) Superintendent Earley noted that it would be helpful to have a media staging area from the beginning of an event. She observed that with the advent of different forms of media, and with the availability of technology, there has been an expansion in who might hold themselves out as a "journalist", which has led to additional challenges for police at a protest event. Ensure that police association representatives can attend throughout the event so that they are engaged at all stages, and are informed with respect to the expectations of officers and resources available.
- 7) Make OPP Healthy Workplace Team resources available to members, to provide supports to members.